

House File 2603 - Enrolled

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HOUSE FILE 2603

AN ACT

AUTHORIZING CERTAIN ADVANCED REGISTERED NURSE PRACTITIONERS AND PSYCHIATRISTS TO FILE CERTAIN PERIODIC COURT REPORTS ON CHRONIC SUBSTANCE ABUSERS AND PERSONS WITH MENTAL ILLNESS WHO DO NOT REQUIRE FULL-TIME PLACEMENT IN A TREATMENT FACILITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 125.2, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 13C. "Psychiatric advanced registered nurse practitioner" means an individual currently licensed as a registered nurse under chapter 152 or 152E who holds a national certification in psychiatric health care and who is registered with the board of nursing as an advanced registered nurse practitioner.

Sec. 2. Section 125.86, subsection 2, Code 2007, is amended to read as follows:

2. No more than sixty days after entry of a court order for treatment of a respondent under section 125.84, subsection 3, and thereafter at successive intervals not to exceed ninety days for as long as involuntary treatment continues, the administrator of the facility or the psychiatrist or psychiatric advanced registered nurse practitioner treating the patient shall report to the court which entered the order.

The report shall be submitted in the manner required by section 125.84, shall state whether in the opinion of the chief medical officer or the psychiatrist or psychiatric advanced registered nurse practitioner the respondent's condition has improved, remains unchanged, or has deteriorated, and shall indicate the further length of time the respondent will require treatment by the facility. If the respondent fails or refuses to submit to treatment as ordered by the court, the administrator of the facility shall at once notify the court, which shall order the respondent committed for treatment as provided by section 125.84, subsection 3, unless the court finds that the failure or refusal was with good cause, and that the respondent is willing to receive treatment as provided in the court's order, or in a revised order if the court sees fit to enter one. If the administrator of the facility reports to the court that the respondent requires full-time custody, care, and treatment in a facility, and the respondent is willing to be admitted voluntarily to the facility for these purposes, the court may enter an order approving the placement upon consultation with the administrator of the facility in which the respondent is to be placed. If the respondent is unwilling to be admitted voluntarily to the facility, the procedure for determining involuntary commitment, as provided in section 125.84, subsection 3, shall be followed.

Sec. 3. Section 125.86, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 3. a. A psychiatric advanced registered nurse practitioner treating a patient previously hospitalized under this chapter may complete periodic reports pursuant to this section on the patient if the patient has been recommended for treatment on an outpatient or other appropriate basis pursuant to section 125.84, subsection 3, and if a psychiatrist licensed pursuant to chapter 148, 150, or 150A personally evaluates the patient on at least an annual basis.

b. An advanced registered nurse practitioner who is not certified as a psychiatric advanced registered nurse practitioner but who meets the qualifications set forth in the definition of a mental health professional in section 228.1 on July 1, 2008, may complete periodic reports pursuant to paragraph "a".

Sec. 4. Section 229.1, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 11A. "Psychiatric advanced registered

3 4 nurse practitioner" means an individual currently licensed as
3 5 a registered nurse under chapter 152 or 152E who holds a
3 6 national certification in psychiatric health care and who is
3 7 registered with the board of nursing as an advanced registered
3 8 nurse practitioner.

3 9 Sec. 5. Section 229.15, subsection 2, Code 2007, is
3 10 amended to read as follows:

3 11 2. Not more than sixty days after the entry of a court
3 12 order for treatment of a patient pursuant to a report issued
3 13 under section 229.14, subsection 1, paragraph "c", and
3 14 thereafter at successive intervals as ordered by the court but
3 15 not to exceed ninety days so long as that court order remains
3 16 in effect, the medical director of the facility or the
3 17 psychiatrist or psychiatric advanced registered nurse

3 18 practitioner treating the patient shall report to the court
3 19 which entered the order. The report shall state whether the
3 20 patient's condition has improved, remains unchanged, or has
3 21 deteriorated, and shall indicate if possible the further
3 22 length of time the patient will require treatment by the
3 23 facility. If at any time the patient without good cause fails
3 24 or refuses to submit to treatment as ordered by the court, the
3 25 medical director shall at once so notify the court, which
3 26 shall order the patient hospitalized as provided by section
3 27 229.14, subsection 2, paragraph "d", unless the court finds
3 28 that the failure or refusal was with good cause and that the
3 29 patient is willing to receive treatment as provided in the
3 30 court's order, or in a revised order if the court sees fit to
3 31 enter one. If at any time the medical director reports to the
3 32 court that in the director's opinion the patient requires
3 33 full-time custody, care and treatment in a hospital, and the
3 34 patient is willing to be admitted voluntarily to the hospital
3 35 for these purposes, the court may enter an order approving
4 1 hospitalization for appropriate treatment upon consultation
4 2 with the chief medical officer of the hospital in which the
4 3 patient is to be hospitalized. If the patient is unwilling to
4 4 be admitted voluntarily to the hospital, the procedure for
4 5 determining involuntary hospitalization, as set out in section
4 6 229.14, subsection 2, paragraph "d", shall be followed.

4 7 Sec. 6. Section 229.15, Code 2007, is amended by adding
4 8 the following new subsection:

4 9 NEW SUBSECTION. 2A. a. A psychiatric advanced registered
4 10 nurse practitioner treating a patient previously hospitalized
4 11 under this chapter may complete periodic reports pursuant to
4 12 this section on the patient if the patient has been
4 13 recommended for treatment on an outpatient or other
4 14 appropriate basis pursuant to section 229.14, subsection 1,
4 15 paragraph "c", and if a psychiatrist licensed pursuant to
4 16 chapter 148, 150, or 150A personally evaluates the patient on
4 17 at least an annual basis.

4 18 b. An advanced registered nurse practitioner who is not
4 19 certified as a psychiatric advanced registered nurse
4 20 practitioner but who meets the qualifications set forth in the
4 21 definition of a mental health professional in section 228.1 on
4 22 July 1, 2008, may complete periodic reports pursuant to
4 23 paragraph "a".
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4 28 PATRICK J. MURPHY
4 29 Speaker of the House
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4 33 JOHN P. KIBBIE
4 34 President of the Senate

4 35 I hereby certify that this bill originated in the House and
5 1 is known as House File 2603, Eighty-second General Assembly.

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5 5 _____
5 6 MARK BRANDSGARD
5 7 Chief Clerk of the House

5 7 Approved _____, 2008
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5 10 _____
5 11 CHESTER J. CULVER
5 12 Governor